

UNITED STATES,)	2:05-cr-00261-BES-GWF
)	
Plaintiff,)	
)	
v.)	ORDER
)	
ROBERTO CHARLES YSASSI,)	
)	
Defendant.)	

At the Calendar Call, Defendant, who has opted to represent himself in this case, expressed his desire to have the Federal Public Defender's Office withdraw as his advisory counsel. In accordance with Faretta v. California, 422 U.S. 806 (1975), the Court canvassed Defendant and found, for the second time, that he knowingly and intelligently waived his right to counsel. The Court now considers whether to grant Defendant's request that the Federal Public Defender's Office withdraw from this case.

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1 would deprive Defendant of his constitutional right of self-representation. Faretta, 422 U.S. at
2 836. However, the Court “may—even over the objection of the accused—appoint a ‘standby
3 counsel’ to aid the accused if and when the accused requests help, and to be available to
4 represent the accused in the event that termination of the defendant’s self-representation is
5 necessary.” Farreta, 422 U.S. at 834 n.46. Accordingly, the Court requires the Federal Public
6 Defender’s Office to continue to act as Defendant’s standby, advisory counsel.

7 The Court also notes that there were some concerns raised at Calendar Call regarding
8 Defendant’s perception that his current advisory counsel, William Carrico, has a conflict of
9 interest in this case. To quell these concerns, the Court requires the Federal Public Defender’s
10 Office to appoint another attorney to act as standby counsel to aid Defendant if and when
11 Defendant requests help, and to be available to represent Defendant in the event that
12 termination of Defendant’s self-representation is necessary.

13 In accordance with the foregoing,

14 IT IS HEREBY ORDERED that the Motion for Judicial Guidance (#65) is granted in part
15 and denied in part.

16 IT IS FURTHER ORDERED the Federal Public Defender’s Office will reassign this case
17 to another attorney to act as standby counsel.

18 DATED: This 2nd day of June, 2006.

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21 UNITED STATES DISTRICT JUDGE
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